#### UTILITY PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Guido Canzona Group Art Unit: Unknown

Serial No.: Unknown Examiner: Unknown

Filed: December 31, 2003 Attorney Docket No.: 024.0043 (03-0476)

For: METHOD FOR IMPROVING THE DUCTILITY OF HIGH-STRENGTH

NANOPHASE ALLOYS

# INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA. 22313-1450

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In accordance with 37C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Information Disclosure Statement IDS is being submitted herewith for consideration by the United States Patent and Trademark Office.

# I. <u>CONTENT</u>

This IDS includes:

$\boxtimes$	A list of all patents, publications, applications, or other information
	submitted for consideration by the Office on PTO/SB/08A Form, which is
	included herewith;

A legible copy of: (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed, unless subsequently provided in this IDS.

II.	CONC	CISE EXPLANATION OF THE RELEVANCE (check at least one box)					
	<ul> <li>Except as may be subsequently indicated in this section II, a convex explanation is not required as all of the patents, publications, application or other information are in the English language.</li> <li>A concise explanation of the relevance, as it is presently understood be individual designated in 1.56(a) most knowledgeable about the content the information, of all patents, publications, applications or information listed that is not in the English language.</li> </ul>						
		A copy of the translation of a non-English Language document, or portion thereof. (e.g., a translation of an abstract)					
	Any patent, publication, pending U.S. application or other information the is listed on PTO/SB/08A Form, which are not enclosed herewith we previously cited by or submitted to the Office in one of the following applications that has been relied on for an earlier effective filing days under 35 U.S.C 120 and the IDS submitted in the earlier application complies with paragraphs (a) through (c) of 1.98:						
		Ţ	J.S. Applicat	ion Serial No		U.S. Filing Date	
III.	THIS	IDS IS BI	EING FILED	UNDER 37	C.F.R.	1.97(b): (check one box)	
		Within three months of the filing date of a national application other than a continued prosecution application under 1.53(d).					
		Within three months of the date of entry of the national stage as set forth in 1.491 in an international application.					
		Before the mailing date of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, please consider this IDS under 37 C.F.R. 1.97(c) and see the statement under 1.97(e) or charge deposit account 50-2091 the fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.					
		Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.					

1 V .	1113	1DS IS BEING FILED UNDER 37 C.F.R. 1.97(C):					
		After the period specified in 27 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:					
		a statement specified in 1.97(e) as subsequently provided in this IDS; or					
		the fee set forth in 1.17(p).					
V.	THIS	IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):					
		After the period specified in 27 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS <u>and</u> the fee set forth in 1.17(p).					
VI.	Statement under 37 C.F.R. 1.97(e) (check only one box) The undersigned hereby states that:						
		Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.					
		No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.					
VII.	PAYN	PAYMENT OF FEES (check one box)					
		A check in the amount of \$ is enclosed for fees due with respect to this IDS.					
		Please charge Deposit Account No in the amount of \$ for the fees due with respect to this IDS. A duplicate copy of this paper is included with this IDS.					

### VIII. CONCLUSION

It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning these IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29,906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-2091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. <u>50-2091</u>.

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	Respectfully submitted,
Date: 31 Dez 2003	By: David K. Benson Reg. No. 42,314

Ingrassia Fisher & Lorenz Customer Number 29906

Enclosures:	$\boxtimes$	PTO/SB/08A
		References
		Foreign Search Report
		Fee
		Other:

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				Complete if Known		
				Application Number		
				Filing Date	December 31, 2003	
	FORMATION DI			First Named Inventor	Guido Canzona	
STATEMENT BY APPLICANT (use as many sheets as necessary)				Art Unit		
				Examiner Name		
Sheet	1	of	1	Attorney Docket Number	024.0043 (03-0476)	

	U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		US- 4,915,605	4-10-1990	Chan et al.				
	-	US- 6,630,008	10-07-2003	Meeks, III et al.				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1 C	Foreign Patent Document  Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т⁰	
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